

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN THE MATTER OF:  
Jannie Rebecca Roper  
aka Jannie "Becky" Roper  
DEBTOR(s)

CHAPTER 7  
CASE NO. 13-43055PWB  
JUDGE Bonapfel

Jannie Rebecca Roper  
aka Jannie "Becky" Roper  
MOVANT

VS

Tri-County Revenue Recovery, LLC assignee for Cross Plains Credit  
RESPONDENT

**MOTION TO AVOID LIEN**

**COMES NOW** the Movant, by and through his/her attorney, and files this Motion to Avoid Lien. In support of this Motion the Movant respectfully represents:

1. Movant filed this motion pursuant to 11 U.S.C. Section 522(f) and Bankruptcy Rule 4003(d) to avoid a judicial lien on certain of Movant's personal and real property.
2. The consideration for the debt is as follows: judgement and fi-fa in the Magistrate Court of Whitfield County, Georgia, Civil Action No.2013-217427CC, in the amount of \$2.963.04, filed on or about October 14, 2013.
3. Movant's interest in the aforementioned property does not exceed the maximum allowable amount pursuant to O.C.G.A. 44-13-100 (a) (1) (4) and (6).
4. The existence of the Respondent's lien on Movant's personal and real property impairs exemptions allowed to the Movant pursuant to 11 U.S.C. Section 522(b) and O.C.G.A. 44-13-100 (a) (1) (4) and (6).

**WHEREFORE**, Movant prays for judgment against the Respondent for the cancellation and avoidance of the judicial lien on Movant's personal and real property, to the extent said security interest impairs exemptions allowed to the Movant pursuant to 11 U.S.C. Section 522(b) and O.C.G.A. 44-13-100 (a) (1) (4) and (6)., and for such other and further relief as is just.

November 6, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
W. Jeremy Salter, Attorney for Movant  
STATE BAR NO.:303979  
P.O. BOX 1654  
ROME, GA 30162  
706-295-1300

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**NOTICE OF REQUIREMENT OF RESPONSE TO MOTION TO  
AVOID LIEN ON EXEMPT PROPERTY AND OF TIME TO FILE SAME**

NOTICE IS HEREBY GIVEN that a motion to avoid a lien on exempt property pursuant to 11 U.S.C. Section 522 has been filed in the above-styled case on November 6, 2013.

NOTICE IS FURTHER GIVEN that, pursuant to Local Rule 6008-2 NDGA., the Respondent must file a response to the motion within 21 days after service, exclusive of the day of service, and serve a copy of same on Movant. In the event that no response is timely filed and served, then the Bankruptcy Court may enter an order granting the relief sought.

November 6, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
W. Jeremy Salter, Attorney for Movant  
STATE BAR NO.:303979  
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**CERTIFICATE OF SERVICE**

The undersigned W. Jeremy Salter of P. O. Box 1654, Rome, GA 30162-1654 hereby certifies:

That I am, and at all times hereinafter mentioned was, more than 18 years of age, and that on November 6, 2013, I served a copy of the within "Motion to Avoid Lien" and "Notice of Requirement of Response to Motion to Avoid Lien on Exempt Property and of Time to File Same" filed in this bankruptcy matter on Tri-County Revenue Recovery, LLC assignee for Cross Plains Credit the respondent in this bankruptcy matter, by U.S. first class mail to the said respondent at:

Chapter 7 Trustee  
Thomas D. Richardson  
Brinson, Askew, Berry, et al.  
P. O. Box 5007  
Rome, GA 30162-5007

**Respondent**

Tri- Country Revenue Recovery, LLC assignee for Cross Plains Credit  
P.O. Box 1968  
Dalton, GA 30722

**Registered agent for respondent**

Jerry Moncus  
220 West Morris Street  
Dalton, GA 30720

Debtor

Jannie Rebecca Roper  
132 Hunter Dr., NE  
Calhoun, GA 30701

I certify under penalty of perjury that the foregoing is true and correct.

November 6, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
W. Jeremy Salter, Attorney for Movant  
STATE BAR NO.:303979  
P.O. BOX 1654  
ROME, GA 30162  
706-295-1300